

MACOMB TOWNSHIP BOARD MEETING MINUTES
REGULAR MEETING HELD WEDNESDAY, MAY 9, 2001
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS
19925 TWENTY-THREE MILE ROAD
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR
NORMAN J. SNAY, CLERK
MARIE E. MALBURG, TREASURER
TRUSTEES: DINO F. BUCCI, JR.
JANET DUNN
KENNETH MEERSCHAERT, JR.
CHARLES OLIVER

ABSENT: NONE
(Attendance record on file with Clerk.)

CALL MEETING TO ORDER

Supervisor BRENNAN called the meeting to order at 7:00 P.M.

1. ROLL CALL.
2. PLEDGE OF ALLEGIANCE
3. APPROVAL OF AGENDA ITEMS.

Additions:

- 22a. Easement Encroachment Agreement; Kenneth C. & Joann M. Allen, 49550 Willowood Drive, Macomb, MI 48044, Lot 65 Willowoods Subdivision II.
- 22b. Easement Encroachment Agreement; Ronald J. Dezenski, 49333 Zoe Drive, Macomb, MI 48044, Lot 204; Willowoods Subdivision II.
- 22c. Request to donate vehicle to the Parks and Recreation Department.
- 22d. Request approval for temporary employee.
- 22e. Approval of Purchase Requisition:
 - a. SLC Meter Service

Supervisor's Comments:

- 23a. Request the switching of Medical Clinic for Township employees.
- 23b. Re-appointment of Library Board Members.
- 23c. Request the consideration for attendance at Management Seminar.
- 23d. Request authorization for the Township Attorney to review Ordinance regarding Parks and Recreation.

MOTION by DUNN seconded by OLIVER to approve agenda as amended.

MOTION carried.

4. APPROVAL OF BILLS.

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MOTION by OLIVER seconded by MALBURG to authorize payment of bills as submitted.

MOTION carried.

5. APPROVAL OF MEETING MINUTES

MOTION by DUNN seconded by MALBURG to approve minutes of April 25th, 2001 as presented.

MOTION carried.

6. Public Comments (Non Agenda items only – 3 minute time limit)

PLANNING COMMISSION:

7. Request for Variance; Land Division Ordinance No.17; Sycamore Estates Subdivision; Located on the southeast corner of Card Road and future 22 Mile Road; Section 26; Polarity, L.L.C., Petitioner. Permanent Parcel No. 08-26-100-001.

Mr. Bernard Lynden, Planning Consultant reviewed the variance and stated the recommendation of the Planning Commission to deny the request since the plan of the petitioner does not meet the provisions of the Master Plan nor the standards of the Macomb County Road Commission.

Petitioner Present: Mr. Larry Scott representing Polarity LLC
Mr. Lawrence Currin of JCK & Associates, Inc.

Supervisor BRENNAN stated he had numerous conversations earlier in the day with Carlo Santia of the Macomb County Road Commission regarding this matter.

Board discussion was held regarding future road/bridge development.

Public discussion was held regarding the variance and its possible effect of surrounding properties.

MOTION by OLIVER seconded by DUNN to grant the Variance; Land Division Ordinance No. 17; for Sycamore Estates Subdivision.

FOR THIS MOTION: OLIVER, DUNN, BUCCI, MEERSCHAERT, MALBURG, SNAY, BRENNAN.

OPPOSED: NONE

ASENT: NONE

MOTION carried.

8. Tentative Preliminary Plat; Sycamore Estates Subdivision; (118 lots); Located on the southeast corner of Card Road and future 22 Mile Road; Section 26; Polarity, L.L.C., Petitioner. Permanent Parcel No. 08-26-100-001.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed subdivision and surrounding property. Mr. Lynden, then stated the recommendation of the Planning Commission to refer the matter back to the Planning Commission.

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Petitioner Present: Mr. Larry Scott representing Polarity LLC

Public Portion: None

MOTION by DUNN seconded by MEERSCHAERT to promptly send the matter back to the Planning Commission.

MOTION carried.

9. Tentative Preliminary Plat; Rockwood Subdivision No.2; (6 lots); Located northwest and southwest of Concetta and Rockwood Drive; Section 28. Rocco Galati, Petitioner. Permanent Parcel No. 08-28-376-007.

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed subdivision and surrounding property. Mr. Lynden stated the recommendation of the Planning Commission to approve the plat for a period of one (1) year contingent upon the fulfilling of the standard conditions.

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the Tentative Preliminary Plat for Rockwood Subdivision No. 2 for the period of one (1) year (expiring May 9, 2002) contingent upon the fulfilling of the conditions recommended by the Planning Commission.

MOTION carried.

10. Final Plat; English Gardens Subdivision; Located east of Romeo Plank and approximately 1100 feet south of 26 Mile Road; Section 5. Joe Locricchio, Petitioner. Permanent Parcel No. 08-05-100-005 & 08-05-100-006. (Tabled from the meeting of April 25, 2001).

Mr. Bernard Lynden, Planning Consultant, gave a brief description of the proposed subdivision, surrounding property and stated the recommendation of the Planning Commission.

Public Portion: None

MOTION by SNAY seconded by MALBURG to grant Final Plat to English Gardens Subdivision and direct the Clerk to sign the mylar.

MOTION carried.

NEW BUSINESS:

11. Review of Computer Software Contracts.

Michael D. Koehs, Macomb Township Deputy Clerk reviewed the request in detail and welcomed questions from the board.

Art Holdsworth of Plante & Moran answered questions from the board and stated his recommendation.

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Board discussion was held regarding the costs of the option of leasing versus buying the software, the long term benefits, upgrades and maintenance agreements.

Public Portion: None

MOTION by MALBURG seconded by BUCCI to table this matter to the meeting of May 23rd, 2001.

MOTION carried.

12. Request Extension of Conditional Work Hours & Noise Level Variance; Jay Dee Contractors, Inc.

Supervisor BRENNAN reviewed the request and stated his recommendation.

Petitioner Present: Mr. Timothy P. Backers of Jay Dee Contractors, Inc. stated his request.

Public Portion: None

MOTION by OLIVER seconded by MALBURG to grant the extension of the original approval of February 28th, 2001; for a period of 60 days to expire June 29th, 2001.
MOTION carried.

13. Retention Basin Maintenance Agreement; Erb Industrial Park.

Supervisor BRENNAN reviewed the request.

Larry Dloski, Township Attorney stated that after reviewing the agreement, 2 issues needed to be addressed and suggested the matter be tabled.

Petitioner Present: Richard A. Ives

MOTION by SNAY seconded by OLIVER to tabled this matter to the meeting of May 23, 2001.

MOTION carried.

14. Detroit Edison Easement from Macomb Township.

Larry Dloski, Township Attorney, reviewed the request and stated his recommendation.

MOTION by DUNN seconded by MEERSCHART to authorize the Township Supervisor to sign the Detroit Edison Easement on the behalf of Macomb Township.

MOTION carried.

15. Request to reconsider the determination to demolish the building located at 49169 Marseilles, Macomb Township.

Supervisor BRENNAN reviewed the request.

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Petitioner Present: Mr. Mark Capaldi representing Cano Enterprises

Mr. Capaldi stated his clients intentions regarding the site and asked the Board for their reconsideration.

Supervisor BRENNAN stated he has received complaints regarding this site for years and stated his recommendation to continue with the process of demolition.

Larry Dloski, Township Attorney, reviewed the options available to the Board to resolve the problem as soon as possible since the site is a health hazard and stated his recommendation to proceed as approved.

Bob Beckett, Building Official, stated his recommendation to have the building located at 49169 Marseilles demolished.

Board discussion was held.

Resident neighbors of the site stated their concerns and strong agreement with the Boards earlier determination to demolish. Residents also informed the Board of numerous problems the site has caused.

Anthony Novak, a neighborhood resident, stated his support for holding off on the demolition.

MOTION by OLIVER seconded by MEERSCHART to deny the request to reconsider the determination to demolish the building located at 49169 Marseilles, Macomb Township.

MOTION carried.

16. Request Release of Monuments/Irons and Water Service Bond; Lancaster Subdivision.

Supervisor BRENNAN stated the necessary departments had reviewed the request and were recommending approval.

MOTION by MEERSCHAERT seconded by MALBURG to authorize the release of the Monuments/Iron Bond in the amount of six thousand one hundred eighty five dollars and 00/100 (\$6,185.00) and Water Service Bond in the amount of ninety thousand nine hundred sixty dollars and 00/100 (\$90,960.00) Escrow Number 95939; Lancaster Subdivision.

MOTION carried.

17. Request Release of Monuments and Irons Bond; Strawberry Knolls Subdivision.

Supervisor BRENNAN stated the necessary departments had reviewed the request and were recommending approval

MOTION by MEERSCHAERT seconded by OLIVER to authorize the release of the Monuments and Irons Bond for the Strawberry Knolls Subdivision in the amount of two thousand nine hundred fifty dollars and 00/100 (\$2,950.00) Escrow Number 87671.

MOTION carried.

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18. Request approval of Temporary Sales Trailer; Warwick Village Condominiums.

Supervisor BRENNAN reviewed the request and stated his recommendation.

Petitioner Present: Stephen Neeper of Warwick Village LLC

Public Portion: None

MOTION by DUNN seconded by MALBURG to approve the Temporary Sales Trailer; Warwick Village Condominiums for a period of one (1) year to expire May 9th, 2002.

MOTION carried.

19. Request for a Temporary Certificate of Occupancy for Omni Office Center; 17375 Hall Road.

Supervisor BRENNAN reviewed the request.

Petitioner Present: Mr. John Vitale of Stucky•Vitale Architects
Mr. Michael K. Smith of Northeast Surgical Group

Supervisor BRENNAN reviewed the request.

Mr. Michael Smith D.O., stated the intended use of the building and their agreement to be in compliance with the Township ordinances.

Larry Dloski stated that an approved Certificate of Zoning Compliance is required prior to obtaining a Certificate of Occupancy.

Mr. Bernard Lynden, Planning Consultant, stated the following: On June 16, 1998, the Planning Commission approved a site plan for Omni Office. On December 1, 1998, the Planning Commission approved a revised site plan to include a full basement with the condition the basement be limited to storage and mechanical equipment. Further, that a note be placed on the foundation plan stating that the basement will be limited to storage and mechanical equipment. A request was made for a Certificate of Zoning Compliance and denied on May 8th, 2001 since the basement plan did not meet the site plan approved by the Planning Commission. The owners were advised that the matter should be referred to the Planning Commission for a revised site plan. If approved as submitted, the site plan does not meet the parking requirements of the zoning ordinance.

Bob Beckett, Building Official stated his recommendation to deny the request.

MOTION by OLIVER seconded by DUNN to approve the Temporary Certificate of Occupancy for Omni Office Center; 17375 Hall Road for a period of 90 days (to expire August 6th, 2001) for the first floor only and contingent upon all parties of interest submit an application for a revised site plan to the Planning Commission for approval within 30 days.

MOTION carried.

20. Request for a Temporary Certificate of Occupancy for McDonald's Restaurant located at 18250 23 Mile Road.

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Supervisor BRENNAN reviewed the request.

Petitioner Present: Mr. Ron Nelson of McDonalds Corporation
Mr. Johnny Adkins of McDonalds Corporation

Public Portion: None

MOTION by DUNN seconded by OLIVER to grant the Temporary Certificate of Occupancy for McDonalds located at 18250 23 Mile Road for a period of 90 days (to expire August 6th, 2001) contingent that all site requirements be completed within the temporary approval time.

MOTION carried.

BUILDING DEPARTMENT:

21. Request to purchase 2002 Ford Explorer 4 Door with 4 Wheel Drive.

Bob Beckett, Building Official, reviewed the request and stated his recommendation to purchase from Romeo Ford.

Public Portion: None

MOTION by OLIVER seconded by MEERSHCAERT to approve the purchase of a 2002 Ford Explorer 4 Door with 4 Wheel Drive from Romeo Ford for the total amount of twenty two thousand five hundred twenty six dollars and 00/100 (\$22,526.00).

MOTION carried.

MOTION by OLIVER seconded by MEERSCHAERT to authorize the Building Departments 4 Wheel Drive Dodge Pickup to be listed for sale.

MOTION carried.

FIRE DEPARTMENT:

22. Request the attendance of Medical Training Officer at EMS Exposition Conference.

Ray Ahonen, Fire Chief, reviewed the request and stated the conference with provide Kim Grabow with needed continuing educational credits necessary for her Instructor Coordinator License.

Public Portion: None

MOTION by SNAY seconded by DUNN to authorize Kim Grabow, Medical Training Officer, to attend the EMS Exposition Conference for the total cost of three hundred seventy eight dollars and 64/100 (\$378.64) plus meals and mileage.

MOTION carried.

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WATER/SEWER DEPARTMENT:

- 22a. Easement Encroachment Agreement; Kenneth C. & Joann M. Allen, 49550 Willowood Drive, Macomb, MI 48044, Lot 65 Willowoods Subdivision II.

David Koss, Water/Sewer Superintendent, stated this was a standard agreement for a pool and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of the agreement.

MOTION by OLIVER seconded by MALBURG to grant an easement encroachment agreement for a pool for Lot #65; 49550 Willowood Drive in the Willowoods Subdivision II.

MOTION carried.

- 22b. Easement Encroachment Agreement; Ronald J. Dezenski, 49333 Zoe Drive, Macomb, MI 48044, Lot 204; Willowoods Subdivision III.

David Koss, Water/Sewer Superintendent, stated this was a standard agreement for a cement walk/pool and was recommending approval. Mr. Koss also stated that the petitioner understands and accepts the conditions of the agreement.

Board discussion was held.

MOTION by MEERSCHAERT seconded by MALBURG to grant an easement encroachment agreement for a cement walk/pool for Lot #204; 49333 Zoe Drive in the Willowoods Subdivision III.

MOTION carried.

- 22c. Request to transfer vehicle to the Parks and Recreation Department.

David Koss, Water/Sewer Superintendent reviewed the request and stated the 92 GMAC Van is in good running condition.

Public Portion: None

MOTION by SNAY seconded by OLIVER to approve the transfer of the Water/Sewer Departments 92 GMAC Van to the Parks and Recreation Department.

MOTION carried.

- 22d. Request approval for temporary employee.

David Koss, Water/Sewer Superintendent reviewed the request and stated two of his employees are out on the FMLA (Family Medical Leave Act) and will be coming up on a very busy season.

Board discussion was held regarding to possibility of transferring employees from slower departments to the Water/Sewer Department.

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MOTION by MEERSCHAERT seconded by DUNN to approve the temporary employee contingent upon the possible temporary use of a current employee.

MOTION carried.

- 22e. Approval of Purchase Requisition:
a. SLC Meter Service

David Koss, Water/Sewer Superintendent, reviewed the purchase requisition and stated his recommendation to approve.

Public Portion: None

MOTION by DUNN seconded by OLIVER to authorize the payment of the purchase requisition to SLC Meter Service for the total amount of two hundred ninety seven thousand five hundred dollars and 00/100 (\$297,500.00).

MOTION carried.

BOARD COMMENTS:

23. Supervisor's Comments
a. Request the switching of Medical Clinic for Township employees.

Supervisor BRENNAN stated that after numerous complaints from township employees regarding the conditions and services of the current medical facility, Nancy Eckman of Compensation/Finance, Chief Ahonen and George Ryan, Local Union Unit Chairperson were asked to research alternative clinics. A formal written recommendation was submitted to Mr. Brennan based on their findings which stated the recommendation to obtain Prompt Care located in Chesterfield Township.

Public Portion: None

MOTION by DUNN seconded by MEERSCHAERT to amend the contract and switch the Township Medical Clinic to Prompt Care of Chesterfield Township.

MOTION carried.

- 23b. Re-appointment of Library Board Members.

Supervisor BRENNAN stated his recommendation to re-appoint Mr. Rick Onaga and Elizabeth Bartlett to the Macomb-Clinton Public Library Board.

MOTION by MEERSCHAERT seconded by MALBURG to re-appoint Mr. Rick Onaga to the Macomb-Clinton Public Library Board with the term to expire April 30, 2004.

MOTION carried.

MOTION by MEERSCHAERT seconded by MALBURG to re-appoint Elizabeth Bartlett to the Macomb-Clinton Public Library Board with the term to expire April 30, 2005.

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MOTION carried.

23c. Request the consideration for attendance at Management Seminar.

Supervisor BRENNAN reviewed the request and stated due to employee growth he highly recommended the attendance of the Management Seminar for all department supervisors and Board members.

Public Portion: None

MOTION by MEERSCHAERT seconded by OLIVER to authorize the attendance of Township Board members and Department Supervisors to attend the one day Management Seminar in Farmington Hills on July 12th, 2001.

MOTION carried.

23d. Request authorization for the Township Attorney to review Ordinance regarding Parks and Recreation.

Supervisor BRENNAN reviewed the request.

MOTION by DUNN seconded by MEERSCHAERT to authorize the Township Attorney to prepare a Macomb Township Parks Ordinance.

MOTION carried.

24. Clerk's Comments

None

25. Treasurer's Comments

None

26. Trustee's Comments

Trustee Dunn stated the St. Isidore's Ground Breaking is being held next Tuesday, May 15th, 2001 at 7:00 p.m.

Supervisor BRENNAN stated that the ribbon cutting for Waldenburg Park will be held on Thursday, May 17th, 2001 at 6:00 p.m. at the park site.

MOTION by OLIVER seconded by MEERSCHAERT to adjourn into Executive Session at 9:25 p.m.

MOTION carried.

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Returned from Executive Session at 10:08 P.M.

EXECUTIVE SESSION:

27. Grand/Sakwa v Macomb Township

Informational Only

ADJOURNMENT

MOTION by DUNN seconded by MEERSCHAERT to adjourn the meeting at 10:09 P.M.

MOTION carried.

Respectfully submitted,

John D. Brennan, Supervisor

Norm J. Snay, Clerk

Eva M. Mayer, Recording Secretary

EMM